

### **REMARKS**

Reconsideration of the rejections set forth in the Office action mailed August 2, 2005 is respectfully requested. Claims 28, 30-33 and 35-51 are pending.

#### **I. Amendments**

Claims 29 and 34 have been cancelled. No new matter is added by any of the amendments.

#### **II. Misfiled Amendment**

An amendment filed on August 16, 2005 for a different application mistakenly included the serial number for this case. As was apparent from the entirely different title, examiner, art unit, confirmation number and claims in that communication, it was clearly sent in error. The applicants request that the communication of August 16, 2005 be disregarded.

#### **III. Rejections under 35 U.S.C. §112, First Paragraph**

Claims 28-45 and 47-51 were rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors, at the time the application was filed, had possession of the claimed invention. Claims 28-51 were also rejected under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to make and use the invention without undue experimentation.

Applicants note that the claims as amended are drawn to methods of using non-polynucleotide telomerase inhibitors to inhibit cell proliferation, not to the inhibitors themselves. Applicants have provided working examples (such as Examples 13 and 16) which demonstrate ways of practicing the subject matter of these claims, and which provide methods of identifying further telomerase inhibitors (Example 17). As provided in dependent claims 45 and 46, one such class of inhibitors is shown to include nucleoside analogs, such as dideoxyguanosine.

Applicants note that a primary aspect of the invention, not appreciated in the prior art,

was the establishment of the connection between telomerase activity and cell proliferation. Having recognized and demonstrated this connection, and provided examples of non-polynucleotide telomerase inhibitors, applicants are entitled to claims drawn to this contribution, such as the currently presented method claims.

In view of the foregoing, the applicants request that the rejections under 35 U.S.C. §112, first paragraph be withdrawn.

IV. Conclusion

In view of the foregoing, the applicant submits that the claims now pending are now in condition for allowance. A Notice of Allowance is, therefore, respectfully requested.

Respectfully submitted,



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